

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
November 2, 2003  
Tribal Court Room 7500 Odawa Circle  
Smudging 9:15 a.m.  
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:44 a.m.

Council Present: Tribal Chairman Frank Ettawageshik, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Secretary Dexter McNamara

Council Absent: Vice-Chairperson Beatrice A. Law - excused

Legal Staff Present: James Bransky, General Counsel

Staff Present: See Attached list

Guests: See attached list

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Opening Ceremony – Tribal Chairman Frank Ettawageshik

Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr., to adopt the agenda as amended for November 2, 2003.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained  
Motion Carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Rita Shananaquet to approve the minutes of October 19, 2003 as corrected.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained  
Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Regina Bentley to enter into record the Tribal Elder's report as presented verbally by Harvey Gibson, Chairperson of the Elders Association.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained  
Motion Carried

10:34 a.m. Councilor Rita Shananaquet leaves

10:38 a.m. Councilor Rita Shananaquet returns

Motion made by Councilor Rita Shananaquet and supported by Secretary Dexter McNamara to enter into the record the Treasurer's report for November 11, 2003 provided by Valerie Tweedie, CPA/CFO.

Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained  
Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Regina Bentley to approve the 2004 Departmental Budget and Allocation Percentages as presented.

1 Motion Withdrawn

2  
3 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor  
4 Regina Bentley to approve the 2004 Budgets as presented today by Valerie  
5 Tweedie, CFO with the addition of \$100,000 for Anishnabemowin Program, to  
6 come from General Welfare unallocated funds.

7 Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained

8 Motion Carried

9  
10 11:32 a.m. recess called

11 11:42 a.m. meeting reconvened

12  
13 11:47 a.m. Public Comment: Harvey Gibson, Carol McFall, John Adams, Andrew  
14 Stich

15 11:54 a.m. Public Comment closed

16  
17 Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice  
18 Yellowbank to increase the CFO's budget by \$25,000 for 2003 to come from the  
19 indirect cost line item.

20 Vote: 6 Yes, 0 No, 1 Absent (Vice-Chairperson Beatrice A. Law), 0 Abstained

21 Motion Carried

22  
23 12:00 p.m. lunch recess called until 1:30 p.m.

24 12:00 p.m. Treasurer Alice Yellowbank leaves - excused

25 1:49 p.m. meeting reconvened

26  
27 Motion made by Secretary Dexter McNamara and supported by Councilor Fred  
28 Harrington, Jr., to accept the Tribal Administrator's report and the addendum to  
29 the Tribal Administrator's report for November 2, 2003.

30 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
31 Yellowbank), 0 Abstained

32 Motion Carried

33  
34 Motion made by Councilor Rita Shananaquet and supported by Secretary Dexter  
35 McNamara to approve protective electrical monitoring system for the Little  
36 Traverse Bay Bands of Odawa Indians Governmental Building from Advantage  
37 Electric for a total not to exceed \$4,275 to come from General Fund Government  
38 Operations.

39 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
40 Yellowbank), 0 Abstained

41 Motion Carried

42  
43 2:25 p.m. recess called

44 2:36 p.m. meeting reconvened

45  
46 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary  
47 Dexter McNamara to accept the Chairman's verbal and written report for  
48 November 2, 2003.

1 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
2 Yellowbank), 0 Abstained  
3 Motion Carried

4  
5 Motion made by Councilor Rita Shananaquet and supported by Secretary Dexter  
6 McNamara to authorize the Natural Resource Department to pay \$10,000 for the  
7 Biological Services Division through C.O.R.A. for 2003.

8 Vote: 4 Yes, 1 No (Councilor Fred Harrington, Jr.), 2 Absent (Vice-Chairperson  
9 Beatrice A. Law, Treasurer Alice Yellowbank), 0 Abstained  
10 Motion Carried

11  
12 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary  
13 Dexter McNamara to ratify the Monteau and Peebles contract for services in the  
14 amount of \$9,772.50 to come from the Legal Department, Consultants and  
15 Contracts line item and authorize the Tribal Chairman to sign, further more to  
16 terminate future contract obligations as of October 15, 2003.

17 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
18 Yellowbank), 0 Abstained  
19 Motion Carried

20  
21 3:36 p.m. recess called

22 3:44 p.m. meeting reconvened

23  
24 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor  
25 Regina Bentley to donate \$10,000 to funds established at NCAI Fall 2003  
26 Conference, for Tribes who have suffered damage from fires in the southwest to  
27 come from the donations line item. The selection of fund recipients shall be the  
28 discretion of our NCAI representatives.

29 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
30 Yellowbank), 0 Abstained  
31 Motion Carried

32  
33 Motion made by Councilor Rita Shananaquet and supported by Councilor Fred  
34 Harrington, Jr., to declare the appointment held by Daugherty Johnson II on the  
35 Gaming Regulatory Commission vacant.

36 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
37 Yellowbank), 0 Abstained  
38 Motion Carried

39  
40 Motion made by Secretary Dexter McNamara and supported by Councilor Rita  
41 Shananaquet to accept Chairperson Julie Carver's Regulatory Commission's  
42 verbal and written report for November 2, 2003 as presented,

43 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
44 Yellowbank), 0 Abstained  
45 Motion Carried

1 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita  
2 Shananaquet to adopt Resolution #110203-01 Adoption of Amendment to  
3 Gaming Revenue Allocation Plan.

4 Roll Call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A.  
5 Law-absent, Treasurer Alice Yellowbank-absent, Secretary Dexter McNamara-  
6 yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Bentley-yes

7 Motion Carried

8  
9 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary  
10 Dexter McNamara to adopt Resolution #110203-02 Submission of Revised  
11 Constitution.

12 Roll Call Vote: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson  
13 Beatrice A. Law-absent, Treasurer Alice Yellowbank-absent, Secretary Dexter  
14 McNamara-yes, Councilor Rita Shananaquet-no, Councilor Fred Harrington, Jr.-  
15 yes, Councilor Regina Bentley-no

16 Motion Carried

17  
18 5:06 p.m. Councilor Rita Shananaquet leaves

19  
20 5:06 p.m. Public Comment opened

21 5:06 p.m. Public Comment closed

22  
23 Motion made by Secretary Dexter McNamara and supported by Councilor  
24 Fred Harrington, Jr., to approve the budget modification of \$3,000 to the Human  
25 Service Department for holiday gift baskets to come from the General Fund.

26 Vote: 4 Yes, 0 No, 3 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
27 Yellowbank, Councilor Rita Shananaquet), 0 Abstained

28 Motion Carried

29  
30 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor  
31 Regina Bentley to approve the Human Service BGN Program Proposal and  
32 increase the FY 2004 budget of Human Services by \$166,878.

33 5:13 p.m. Councilor Rita Shananaquet returns

34 Vote: 4 Yes, 1 No (Councilor Rita Shananaquet), 2 Absent (Vice-Chairperson  
35 Beatrice A. Law, Treasurer Alice Yellowbank), 0 Abstained

36 Motion Carried

37  
38 Motion made by Secretary Dexter McNamara and supported by Councilor Fred  
39 Harrington, Jr., that the Tribal Chairman sign all documents associated with the  
40 Continuation Grant, U.S.D.A., FY-2003-2004 as submitted by the Human  
41 Services Department on October 23, 2003, in the amount \$34,894.

42 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
43 Yellowbank), 0 Abstained

44  
45  
46 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor  
47 Regina Bentley to approve Enrollment List A - Eligible for Membership dated Oct  
48 16, 2003.

1 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
2 Yellowbank), 0 Abstained  
3 Motion Carried

4  
5 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor  
6 Regina Bentley to approve enrollment List B – Declination (Ineligible), dated Oct  
7 16, 2003.

8 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
9 Yellowbank), 0 Abstained  
10 Motion Carried

11  
12 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor  
13 Regina Bentley to make a donation of \$5,000 to the Michigan Indian Legal  
14 Services to come from the Donations line item.

15 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
16 Yellowbank), 0 Abstained  
17 Motion Carried

18  
19 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor  
20 Regina Bentley to approve the Capital Improvement fund for the construction of  
21 the Administration Storage Building in the amount of \$156,000 to come from the  
22 General Fund and approve the award of the construction contract to Colwell  
23 Wangeman and authorize the Chairman to sign all necessary documents.

24 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
25 Yellowbank), 0 Abstained  
26 Motion Carried

27  
28 5:56 p.m. Councilor Rita Shananaquet leaves

29 5:58 p.m. Councilor Rita Shananaquet returns

30 5:59 p.m. Councilor Rita Shananaquet leaves

31 6:04 p.m. Councilor Rita Shananaquet returns

32 6:50 p.m. Councilor Regina Bentley leaves

33 6:52 p.m. Councilor Regina Bentley returns

34 6:53 p.m. Councilor Rita Shananaquet leaves

35 6:54 p.m. Councilor Rita Shananaquet returns

36  
37 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita  
38 Shananaquet to approve a work session for Personnel Policies on December 5,  
39 2003 for Tribal Council.

40 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
41 Yellowbank), 0 Abstained  
42 Motion Carried

43  
44 Motion made by Councilor Rita Shananaquet and supported by Councilor Fred  
45 Harrington, Jr., Councilor Fred Harrington, Jr., to approve the Tribal Council work  
46 session and meeting schedule for 2004, as presented and amended.

47 Vote: 5 Yes, 0 No, 2 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
48 Yellowbank), 0 Abstained

1 Motion Carried

2  
3 7:20 p.m. Councilor Fred Harrington, Jr., leaves

4 7:24 p.m. Councilor Regina Bentley leaves

5 7:25 p.m. Councilor Regina Bentley returns

6  
7 Motion made by Councilor Rita Shananaquet and supported by Councilor Regina  
8 Bentley to authorize the Tribal Chairman to sign the contract with Don Portman,  
9 Manager of the Old Sportsman General Store as presented on November 2,  
10 2003.

11 Vote: 4 Yes, 0 No, 3 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
12 Yellowbank, Councilor Fred Harrington, Jr.), 0 Abstained

13 Motion Carried

14  
15 7:25 p.m. recess called

16 7:37 p.m. meeting reconvened

17  
18 7:41 p.m. Motion made by Councilor Regina Bentley and supported by  
19 Councilor Rita Shananaquet to go into Executive Session for personnel.

20 Vote: 4 Yes, 0 No, 3 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
21 Yellowbank, Councilor Fred Harrington, Jr.), 0 Abstained

22 Motion Carried

23  
24 8:40 p.m. Motion made by Councilor Rita Shananaquet and supported by  
25 Secretary Dexter McNamara to resume Open Session.

26 Vote: 4 Yes, 0 No, 3 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
27 Yellowbank, Councilor Fred Harrington, Jr.), 0 Abstained

28 Motion Carried

29  
30 8:41 p.m. Motion made by Councilor Rita Shananaquet and supported by  
31 Councilor Regina Bentley to adjourn.

32 Vote: 4 Yes, 0 No, 3 Absent (Vice-Chairperson Beatrice A. Law, Treasurer Alice  
33 Yellowbank, Councilor Fred Harrington, Jr.), 0 Abstained

34 Motion Carried

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36  
37 These Minutes have been read and approved as written:

38 Approved:

39  
40  
41  
42  
43  
44 \_\_\_\_\_  
45 Dexter McNamara, Tribal Secretary

46 \_\_\_\_\_  
47 Date  
48